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DEPARTMENT OF STATE
Assistant Secretary

ML
WWS

December 15, 1959

TO: The Secretary
THROUGH: S/S *ML*
FROM: EUR - Foy D. Kohler *FDK*
SUBJECT: Transmitting Memorandum for the President

I am attaching a memorandum on German and French concern relative to the questionnaire tabled in the Four-Power Consultative Group which, it is suggested, you may wish to give to the President in connection with your briefing of him on December 18.

Attachment:

Memorandum to the President
with enclosure

processed by 102/1

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EUR:GER:MJHillenbrand:smm

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| By <i>SL</i> Date <i>8-29-91</i> |

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Memo to Pres.

DECEMBER 11, 1957

MEMORANDUM FOR THE PRESIDENT

SUBJECT: German and French Concern Relative to questionnaire Submitted to Consultative Group

It is possible that both Adenauer and de Gaulle will express concern over the questionnaire contained in a paper on Germany and Berlin distributed to the Four-Power Consultative Group in Washington. They may indicate that they found disturbing certain implications of the questions posed.

The American representative tabled the questionnaire paper on November 27. While designed to raise certain key issues for discussion purposes, it was clearly labeled as not intended to suggest specific U.S. positions. Further drafting sessions in which representatives of all four countries participated resulted in a number of changes to meet points made by the French and Germans. Finally, however, the French and Germans stated that they wished to disassociate themselves from the questionnaire. The French Ambassador stated that his instructions indicated that such questions were not considered appropriate for direction at the Heads of Governments. In order to avoid the impression of a split between the French and Germans on the one hand, and the British and U.S. on the other, we agreed to let the amended questionnaire and preceding discussion section go forward as an American paper to be designated as Annex three to the Consultative Group record.

Apart from the specific wording of these questions, the fact is that they raise a number of basic issues which should be considered by the Heads of Government if their discussion of Germany and Berlin is not to remain completely general and unfocused. Such a discussion would not provide required guidance for the next round of preparatory work for the East-West Summit. Refusal even to raise certain issues is hardly

realistic; /

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realistic; each country is free to give negative answers if the facts so warrant. Our position is, of course, that while the Western Powers must abide by their basic obligations, the experts should not be barred from reviewing new possibilities for Western initiatives.

For convenient reference, the questionnaire portion of the reference paper, as amended, is enclosed.

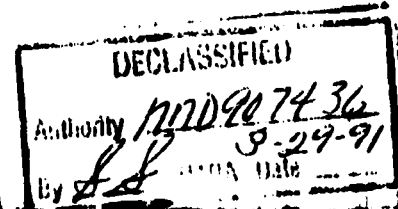
C.A.H.

Christian A. Herter

Enclosure:

Questionnaire

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FROM ANNEX III TO RECORD OF WASHINGTON
CONSULTATIVE GROUP

(11.) Guidance from Governments will be required on a number of points to enable useful continuation of work on preparation for the East-West Summit. The following questions, while not intended to be exhaustive, raise the most important issues or operating assumptions on which agreement must be reached before the Western position can be fully developed:

(a) On the assumption that Khrushchev will begin by reiterating the Soviet peace treaty proposals, should the West respond by putting forward the Western Peace Plan?

(b) If so, can the Peace Plan be modified in any way to make it more negotiable or to demonstrate continued Western sincerity in attempting to achieve German reunification?

(c) Are there circumstances under which it would be advantageous for the Western Powers to offer to discuss the principles of a peace treaty on a quadripartite basis?

(d) Must the Western Powers be prepared at the summit eventually to discuss Berlin outside of the context of German reunification?

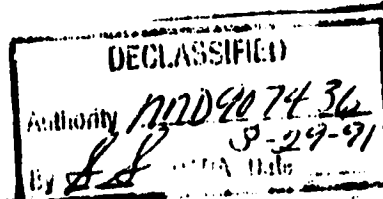
(e) If it appears that German reunification is not likely to be achieved within the foreseeable future, are there any reasons why maintenance of the status quo in Berlin cannot be considered a feasible course of action, given the announced peace treaty with the GDR should a modus vivendi not be achieved on Berlin?

(f) Is there any practical way of deterring the Soviet Union from signing such a peace treaty with the GDR: (i) in the absence of a modus vivendi on Berlin; (ii) in the presence of such a modus vivendi; (iii) by the terms of a modus vivendi?

(g) If the Soviet Union does sign such a peace treaty with the GDR in the absence of a modus vivendi on Berlin, what would be the effect of such a treaty on the Western position in Berlin and on the rights and responsibilities of the Four Powers relating to Germany?

(h) In view of the

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(h) In view of the known negative Soviet position on reunification, if the discussion at an East-West summit comes to the subject of Berlin alone, (i) should the Western Powers insist on maintenance of the status quo in Berlin until reunification, or (ii) should the Western Powers attempt to move towards such a solution via an interim arrangement of the kind discussed at the Geneva Conference of Foreign Ministers, or (iii) should the forthcoming East-West summit be used in an effort to achieve directly an arrangement which would be designed to continue until reunification?

(i) Is the Western negotiating position likely to be stronger or weaker than it is now at the expiration of the period of time envisaged in a Geneva-type interim arrangement?

(j) Can new proposals be developed for an arrangement on Berlin designed to last until reunification which would be acceptable to the West and consistent with its obligations to maintain the freedom of the city?

(k) If an agreement can be achieved with the Soviets designed to be valid until reunification, are the Soviets likely to continue to respect it?

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